



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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United States of America, for the use and benefit of
M. Frank Higgins & Co., Inc., M. Frank Higgins &
Co., Inc.

Plaintiffs-Counter Defendants,

22-cv-9599 (CS) (VR)

-against-

ORDER

Dobco Inc.,

Defendant-Third-Party Plaintiff-
Counter Claimant,

Liberty Mutual Insurance Company,

Defendant,

Merchants National Bonding, Inc.,

Third-Party Defendant.
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VICTORIA REZNIK, United States Magistrate Judge:

The Court has received the parties' filings in response to the Court's August 17, 2023, Order. (ECF Nos. 65, 66, 67). The parties are directed to submit to the Court copies of (1) Dobco's notices of default; (2) responses Merchants, Higgins, and/or their attorneys provided to Dobco in response to Dobco's notices of default; and (3) Merchants' August 13, 2021, letter, expressly denying performance on the bond. The foregoing documents shall be submitted by no later than **November 8, 2023**.

The Court has scheduled a Discovery Hearing regarding the pending discovery disputes. The Discovery Hearing will be on **November 16, 2023**, at **11:00 AM**, **in person**, before Magistrate Judge Victoria Reznik, at the Hon. Charles L. Brieant, Jr., Courthouse, 300 Quarropas

Street, Courtroom 420, White Plains, New York 10601. The parties should be prepared to discuss the issues set forth in their respective filings and the Court's August 17, 2023, Order.

DATED: White Plains, New York
November 1, 2023



VICTORIA REZNIK
United States Magistrate Judge